

MINUTES OF THE DEKALB COUNTY DRAINAGE BOARD MEETING OF DECEMBER 17, 2020

Chairman Randall J. Deetz called the regular meeting of the DeKalb County Drainage Board to order at 8:30 a.m., Thursday December 17, 2020. Answering roll call was Randall J. Deetz; Michael E. Krehl; Donald D. Grogg; Jacqueline R. Rowan and William L. Hartman.

ALSO PRESENT: Drainage Board Attorney Shannon E. Kruse; administrative assistant Brenda Myers; Surveyor staff members Nate Frye and Michelle Lassiter.

IN ATTENDANCE: Mike Watson; Gary Sible; James Holbrook; Bruce Bell II; Tim Gouloff; Joe Herendeen; Angie Wallace.

APPROVAL OF MINUTES: A motion was made by Mike Krehl to approve the Minutes of December 10th, 2020 as standard minutes taken by the DeKalb County Drainage Board, seconded by Don Grogg, motion carried.

APPROVAL OF CLAIM: A motion was made by Jacqueline Rowan to approve the claim to Bassett's Office Furniture and Supply in the amount of \$15.46, seconded by Bill Hartman, motion carried.

DRAIN VARIANCE: Nate Frye reported that he discovered yet another building on the property that is in the right-of-way when looking at Google Map, when onsite he focused on the new build and didn't notice a fourth building in the vicinity. Nate said he didn't have time to get the drain tile located so he ran a tile from where he knows it is in one location, to another location, and the bottom line is the two buildings at the back of the property are 120' apart for a 150' easement of our drain. Nate said he rewrote the variance to address both pole barns and the other accessory building and the concrete landscaping bins that are actually setting on top of the drain; he asked if that was acceptable or if the drain has to be physically located.

Chairman Deetz questioned how Nate is coming up with a variance without a description and the actual footage?

Nate said he located it looking at the air photo and called out the distances as approximate in the description of the variance which he read.

It was the consensus of the Board that the landowner be allowed to move forward with his project and that the surveyor staff locate this tile to know for certain where the tile is located and bring the variance back at that time for signatures.

PLAN COMMISSION PETITION – REPLAT OF LOT 3 SHARON SUBDIVISION AMENDED: Present is Tim Gouloff, Gouloff – Jordan Surveying and Design, Inc. on behalf of Brian Baldwin and Kendra Ingram with this two-lot replat of Lot 3 on County Road 35. There is an existing building so they will be adding one additional buildable lot.

The report on behalf of the Surveyor as given by Nate Frye was as follows:

This plat is in the watershed of the *Hilkey-Carnahan Lateral 5 Regulated Open Drain Number 12-05-0*. The plat does not appear to exceed the threshold as set by Drainage Board for additional drainage improvements. This development shall not block off-site drainage across the site. Storm water from this lot shall be directed onto the parent tract and not onto adjoining tracts. This report is subject to any additional information submitted at the Plan Commission hearing.

A motion was made by Don Grogg to accept the report of the Surveyor concerning the drainage, subject to any new evidence presented at the Plan Commission

meeting and requests the administrative assistant to pass this decision of the Drainage Board to the Plan Commission, seconded by Bill Hartman, motion carried.

UTILITY PERMIT REQUEST – FRONTIER COMMUNICATIONS: This project begins from a point 716 ft. east of State Road 101 and 4,452 ft. west of County Road 71, will plow east along and parallel to the north of right-of-way for 310 ft. then bore across County Road 62.

The county regulated drain involved: *Alva Coburn Drain Number 183-20-0*

Bill Hartman moved that the Board approve the Utility Permits for drain crossings in regard to the above drain and to authorize the Chairman to sign on behalf of the Board, seconded by Jacqueline Rowan, motion carried.

PLAN COMMISSION PETITION – COPPER RIDGE ESTATES: Joe Herendeen, Sauer Land Surveying, Inc. on behalf of Brian and Romona Wilcoxson with a six lot subdivision located on County Road 27 and County Road 64. There will be a private road and the restrictive covenants will address the maintenance of the road and responsibilities with the Home Owners Association being established. Basically this will be a ‘compound’ of sorts with family members living in this subdivision. Per the GIS map there are some wetlands that have not been delineated however the buildings will not encroach in that area. Eventually there will be city sewer with a line being ran that they will ‘tee’ off of and this will happen prior to any buildings being started according to Mr. Herendeen. It was noted that Jeff Barcus is developing this area.

It was noted (by Nate Frye) that there is not a typical pond type drainage to control the additional runoff and Mr. Herendeen stated that this will be all natural drainage, as it is currently flowing. Mr. Herendeen stated that someone in his office did calculations as requested by Mike Kline on a two-year runoff and a ten-year runoff and it met all the requirements without having to have onsite detention.

Nate Frye stated that there are a lot of assumptions made on this subdivision that the sites will remain wooded; it wouldn’t be the typical hard surface and mowed lot property so Mike Kline (Surveyor) feels leaving it natural will compensate for the additional runoff produced by any hard surface that goes into the area, but he (Mike Kline) did want to draw it to the Board’s attention that this is not a typical multi-lot subdivision and is not a typical drainage solution for a multi-lot subdivision.

Chairman Deetz stated that with the Plan Commission there are some UDO’s that have some pretty definitive requirements when you go to a multi-lot subdivision, one being roads and the other being a drainage plan that comes to the Board and he is questioning the fact there is not a drainage plan. Randy stated that he cannot support this concept.

Nate Frye stated that the intent for the drainage plan is arguably it can conserve space and if controlled through vegetation it mitigates pollution better than a pond, so there are some advantages to it. This is a very different plan to control drainage and requires a more proactive and informed approach from the landowner, which is great with the current property owners but beyond that it could be problematic.

Attorney Kruse stated that she is more concerned with this subdivision dumping water onto someone else. If the Board were to support this idea and in the future if this were to change in any way, that should trigger needing some sort of detention.

Joe Herendeen stated that his engineer could do what is needed to have this presented on December 31st but unfortunately, the surveyor may not have a report ready yet at that time, this may not be ready for a report until January.

After much discussion, the Drainage Board consensus is that they would not support the concept of this proposal with the lack of a report of the DeKalb County Surveyor. The Board (Commissioners) will try to talk with Chris Gaumer at their meeting next Monday.

PLAN COMMISSION PETITION – SUNSET ESTATE: Present is Angela Wallace, Compass Land Surveying, Inc. on behalf of Scott A. Cline who is creating this lot as a residential lot.

The report on behalf of the Surveyor as given by Nate Frye was as follows:

This plat is in the watershed of the *Simon Smurr Regulated Tile Drain Number 305-00-0* and the *Thomas Harwood Lateral 1 Regulated Open Drain Number 17-01-0*. The plat does not appear to exceed the threshold as set by Drainage Board for additional drainage improvements. This development shall not block off-site drainage across the site. Storm water from this lot shall be directed onto the parent tract and not onto adjoining tracts. This report is subject to any additional information submitted at the Plan Commission hearing.

NOTE: The Thomas Harwood Lateral 1 drain is an open drain that needs maintenance work but the Army Corp, IDEM and DNR will not let us (the county) work on the drain so it's function is limited but the additional lot should not make a noticeable difference on the drain.

A motion was made by Mike Krehl to accept the report of the Surveyor concerning the drainage, subject to any new evidence presented at the Plan Commission meeting and requests the administrative assistant to pass this decision of the Drainage Board to the Plan Commission, seconded by Bill Hartman, motion carried.

INFORMATIONAL: Two weeks ago there was discussion of transferring some funds from the reconstruction project for the *Eric Morris Drain Number 416-00-0* to the Eric Morris drain maintenance fund for the purchase of the crossing pipe that was never used on the reconstruction; the number that Mike gave previously was \$9,252.00, that number should have been \$7,375.00 so that is the amount needed to transfer from the maintenance fund to the reconstruction. The transfer has not taken place according to Nate.

A motion was made by Mike Krehl to authorize (correct the transfer as previously stated) of \$7,375.00 from the maintenance fund of the Eric Morris Drain Number 416-00-0 to be placed in the reconstruction fund of the Eric Morris Drain Number 416-00-0, seconded by Don Grogg, motion carried.

CERTIFICATION OF DRAIN FOR RECONSTRUCTION: Nate Frye presented the CERTIFICATION of ASSESSMENTS for the RECONSTRUCTION OF THE ERIC MORRIS DRAIN NUMBER 416-00-0. This now requires the signature of the Chairman with the second portion being signed by all members of the Drainage Board. The total reimbursable amount to the County General Fund is \$171,872.25.

Bill Hartman moved that the Board accept the Surveyor's report on the collection thereof for the reconstruction of the drain and to certify for collection, authorizing the Chairman to sign the transmittal letter, seconded by Don Grogg, motion carried.

JAMES FERGUSON DRAIN NUMBER 86-00-0: In auditing some drains, they found that there was an invoice #430 to Tri-County Excavating for \$2,450.00 for work that he did relocating the James Ferguson drain, that claim was applied to the maintenance fund and

should have been applied to the reconstruction account so he asked to move that amount from the reconstruction fund in the amount of \$2,450.00 to the maintenance fund.

Mike Krehl moved to approve the transfer of \$2,450.00 from the James Ferguson Drain Number 86-00-0 reconstruction fund to the James Ferguson Drain Number 86-00-0 maintenance fund, seconded by Don Grogg, motion carried.

FRED GROSCUP JR DRAIN NUMBER 335-00-0: Chairman Deetz stated that with doing a Consent and Waiver from the county pond across the Leins property and into the Diehl ditch going underneath the new Potter Drive. In speaking with the Leins' and the City of Auburn several times, as well as Mike Kline, the Leins' have major issues with taking the amount of right-of-way that would be taken. The Leins', the City of Auburn and the Surveyor are all comfortable with making this a storm sewer type drain that would come out of the pond, going down the pond through the county area to State Road 8, turning directly west, going between the house and State Road 8 and hooking into the Diehl drain there at Potter Drive. The City of Auburn has offered to pay any and all additional costs that stray from the original plan that had been presented. Before the Leins will sign the Consent and Waiver they want reassurance that all are in agreeance of their preference. Chairman Deetz will contact the Leins of this agreeance.

Bill Hartman stated that this will benefit Auburn now and in the future and therefore made a motion to approve working alongside the City of Auburn Engineers and the Surveyors office to present a new plan for a twenty-four inch tile going along State Road 8 to Potter Drive, noting the generous offer of the City of Auburn to pay any and all costs over and above the original plan, seconded by Mike Krehl, motion carried.

INFORMATIONAL: County Road 38/County Road 31 Tim Kummer has installed a relief pipe (8" tile) which is a private tile to catch the water that is coming across the road and tied in to our cross pipe being the David Link Lateral 4 Drain Number 211-04-0 without seeking permission from the county. Tim is asking to be reimbursed and the total cost was \$3501.86 because he installed over 1,000' of 8". Highway Superintendent Ben Parker has offered to put riprap around that private tile.

The consensus of the Board was that no money will be given towards this project that there was no previous permission requested or given on.

INFORMATIONAL - GUY PLATTER DRAIN NUMBER 112-00-0: Nate said he is trying to get this in the ground and with the county having to pay for the detour, asphalt and contractor, the State Highway is wanting to do the work themselves. Nate proposed to start constructing the drain now as soon as they can get it bid out and do a temporary connection to the existing crossing and when the highway finishes the crossing in whatever method they choose, they then can connect to the new system. Mike doesn't feel it's worth the couple of months it would take but his (Nate's) thought is if we get it in the ground it would allow farmers to work in the spring. Those are the two options.

The consensus of the Board was to get it in the ground and hook it up later but asked for an actual recommendation from the Surveyors office.

INFORMATIONAL: Drainage Board member Don Grogg stated that this will be his last meeting. Chairman Deetz thanked both Don and Jackie for their years of service to the Drainage Board.

We will be meeting on December 31st, 2020.

There being no further business, meeting adjourned.

Randall J. Deetz, Chairman

Brenda F. Myers, Administrative Assistant